

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS LIABILITY)
LITIGATION)

MDL No. 2419
Dkt. No 1:13-md-2419 (RWZ)

THIS DOCUMENT RELATES TO:)

Suits Naming Specialty Surgery Center, PLLC)

NOTICE OF PROPOSED BELLWETHER CANDIDATE CASES

Defendants Specialty Surgery Center, Crossville, PLLC (“SSC”), Kenneth R. Lister, MD (“Dr. Lister”), Kenneth Lister, MD, PC (“Dr. Lister’s Practice”), and Calisher & Associates, Inc. (“Calisher”) hereby give notice that they are jointly proposing the following cases as potential bellwether candidates in accordance with the Court’s scheduling order at Doc. 3016:

<u>Injury category</u>	<u>Case Name</u>	<u>Docket Number</u>
Death	1. Nealon v. Ameridose, <i>et al.</i>	1:-13-cv-12491
Meningitis Only	2. Norris v. Ameridose, <i>et al.</i>	1:13-cv-12682
Local Infection Only	3. Smith v. Ameridose, <i>et al.</i>	1:13-cv-12684
No Disease	4. Willis v. Ameridose, <i>et al.</i>	1:13-cv-12597

In proposing these bellwether cases, the Defendants reserve and do not waive any and all rights to have these cases remanded to and tried in Tennessee.¹

¹ Defendants further reserve the right to designate replacement cases should any of these cases be dismissed.

Respectfully submitted,

GIDEON, COOPER & ESSARY, PLC

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*Admitted pursuant to MDL Order No. 1

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***Attorneys for Defendant, Calisher &
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing this the 29th day of August, 2016.

/s/ Chris J. Tardio

CHRIS J. TARDIO